

Agenda of Oakwood Meadows Homeowners Association

Meeting date: November 4th, 2015

Call to order: An Annual meeting of the **Oakwood Meadows Homeowners Association** was held in South Lyon, MI on November 4th, 2015. The meeting convened at 7:00, President Jim Smalley presiding, and Larry Wildt, Secretary.

Board Members in attendance:

Brian Canadi

Laura Leshok

John Long (execused)

Roy Meadows

Jim Smalley

Leisa Thompson

Larry Wildt

Mark Zemko

Welcome to members

Curt Hutchinson

Eric Wagenschwanz

Norm & Gail Meloche

Ronald & Caro Evasic

Keith & Rose Archambault

Kathy Bratcher

Ron & Maryln Cech

Sue and Rob Naudi

Sue Laity

Bruce Peterson

Daniel and Carol Peterlin

Sharon Suffolk

Becky Zemko

Fritz & Joanne Bender

Kathy Hutchinson

Approval of minutes:

Minutes from August 2nd 2015 were corrected, approved and posted on OakwoodMeadows.org.

Treasurer report:

- 99 members have paid
- Spending from January 1st, 2015 to November 1 is \$8,110.81
- Large dollar items remaining are: Insurance 1,547 and Pond Treatment ~2,400
- Current bank account balances as of November 1, 2015
 - Checking \$16,518.07
 - Savings \$12,492.44

Board and committee reports:

Pond

2015 Treatment permit received

- Completed treatment plan
- Purchased fish
- No reported fish kill
- Getting quotes for treatments in 2016

Restrictions

- Purpose of Sub 2 survey

The purpose of the survey provided to Sub 2 members was to collect information on the potential alignment / combining possibilities for Sub 1 and Sub 2. Sub 1 has updated their restrictions with the language that was provided in the Survey. Thus if Sub 2 was supportive of the same changes we would have a good possibility to be able to combine both sets of restrictions into one. The results from the responses of Sub 2 members indicated that it would be difficult to pursue combining due to the high degree of disagreement with the exception of driveways and utilities. The second purpose was to collect comments on what would be needed to be updated in these specific key areas in order to achieve the needed 2/3 vote for approval. The survey was not inclusive of all the needed updates for the current Sub 2 restrictions and the language changes recommended. The committee will use the survey results and especially the comments provided to draft new recommendations for the membership to review.

- Sub 2 – Survey results
 - 45 of 64 Sub 2 responses were received.
 - Land Use Agree – 14 Disagree -31
 - Driveways Agree 25 Disagree 20
 - Utilities Agree 27 Disagree 18
 - Fences Agree 11 Disagree 34
 - Pets & Animals Agree 19 Disagree 26
 - Garbage Agree 17 Disagree 28
 - Trailer-limit Time Agree 16 Disagree 29
 - Trailers-Ordinance Agree 21 Disagree 24
- Check of alignment between sub 1 and sub 2 s not plausible at this time to have similar restrictions
- Sub 2 needs 2/3 +1 to approve changes to the restrictions

Unfinished Business

- Front Entrance – fixing the light on Ponderosa and Daleview was completed
- The lights were fixed on Ponderosa and the lights on Daleview required emergency repairs to be done
- Front entrance lights have been brought up to code for electrical wiring. This was identified last year and placed in the budget for this year.
- The light on Daleview was not working properly and urgent repair was initiated. The bulb, bulb socket, and wiring were corrected. In addition the photo sensor was replaced.
- An outlet was added so that decorations can be applied.
- An outlet by the main power source was closed off to prevent unauthorized use.
- Roads
 - The association does not own the roads or drains
 - What can be done with the roads are there any options?
 - A meeting has been scheduled with the Township Supervisor
 - Roy will check if the Supervisor would be willing to come to an open board meeting
 - Need options and for the members to understand those options
 - Will communicate and get the info out

New business:

- Grass Cutting
 - Getting bids for 2016 lawn cutting
 - There was an issue earlier in the year where new personnel from the service missed several areas
- Insurance
 - Reviewing the association's insurance carrier for coverage and investigating quotes for the possibility of a rate reduction while maintaining coverage.

Announcements:

- N/A

Membership Comments:

- See below

Adjournment: The meeting was adjourned at 8:45.

Larry Wildt

Date of approval:

Oakwood Meadows Homeowners Association

OMHOA Meeting - Nov 4, 2015 – Member Comments

The meeting was very orderly, but I wasn't able to capture all of the names; hence only the comments are listed.

Robert Evasic, turned in a written comment to the board.

This is a nice comfortable neighborhood, had questions on the concept of having 2 separate set of restrictions

Concerned about the impact to property values in sub 2

Concerned that legal action may result from sub 1 updating their restrictions

Previous boards made an effort to combine restrictions without sub 1 losing existing items based on a grandfather clause

Should have started with sub 2

The survey for sub 2 did not look like the survey for sub 1

Concerned about what the neighborhood would look like with the updated restrictions in sub 1

Should have a limit in sub 1 on the number of vehicles that can be parked on the driveway

Get sub 1 and sub 2 together and send the same survey to each group to get them in sync.

Sub 2 survey needed more definition for what a shed was

We should all work together

The 2 phases have tried to blend together for several years

Where all surveys received?

The questions on the sub 2 survey were too vague to agree with

Concerned that property values will go down

Concerned that there will be gravel driveways

Need to focus on improving the roads

Concerned that the sub 1 restrictions will end up in court

Suggestion to send a paper copy of the bylaws to all members

The survey for sub 2 did not have enough details and needed better wording for the changes

Recommended adding new restrictions (example of roofing materials)

Has there been an effort to combine sub 1 and sub 2? The 2 phases of the sub are now further apart based on sub 1 updating their restrictions

Sub 1 had the power to vote on sub 1 and sub 1 was not interested in merging

OMHOA Meeting - Nov 4, 2015 – Member Comments

Why did the board allow the 2 phases to move further away from each other. The board should have stopped sub 1 from updating their restrictions

sub2 would not want sub 1 restrictions and we should split off sub 1 into its own association

If the survey results are showing no then why continue

Concerned that there are not many open meetings, have to use the web site for info and the sub 1 vote was a shock to sub 2 members

Need better communication than the web site

No need for sub 2 to go forward on updating restrictions

Open up the sub 2 restriction committee for volunteers

Numerous work on restrictions has been done over the years

What is the makeup of the board between the 2 phases?

4 members of the board are from sub 1 and 4 members of the board are from sub 2

Bring up positive things for positive action

The survey was not a vote

If you have something you don't like then offer a solution

Open up the committee for sub 2 restrictions

Gas lights are outlawed

The survey question on gas lights should have listed additional options (electric)

These open meetings are presentation and not a meeting

Concerned that the sub 1 downfall is that it doesn't clarify and is vague making it more difficult to uphold restrictions.

Should stop with sub 2 and leave it as is but clean up language as needed

Survey seemed like agree/disagree with the sub 1 restrictions and it seemed like a vote

With the sub 1 restrictions on land use would a "Granny pod" on wheels be possible?

More focused on what do people want versus what is in the best interest of the community

when the sub2 were built around Oakwood Meadows they shadowed the sub 2 restrictions the changes to the sub 1 restrictions were not for the betterment

The board is not assessable and members are not given the opportunity to contact them

Concerned that 2 emails he had sent were not responded to

Concerned that members are not aware of what's going on

OMHOA Meeting - Nov 4, 2015 – Member Comments

Don't make changes, moved here because the current restrictions were in place

How do we know the numbers from the survey are accurate?

The survey should be anonymous

The name was needed on the survey as people made comments that needed clarification. All voting is anonymous.

No choices were offered

Post the results of the survey and comments on the web site

Concern that the board does not publish their personal phone numbers or email

A more prompt response is needed for emails

An idea was proposed to have a post card sent to the members with which email to use and the web site address

Could use magnets instead of a post card

We're not in the 1950s people don't have landlines

Understands the not sharing of personal phone numbers

Need a way to communicate with neighbors, the translation gets messed up and then emotions rise and misinterpretations happen

Hope to have more meetings in the future

Publish a directory and addresses if people want to share

The roads are an embarrassment

Ironic that the county owns the roads but won't fix them

Some drains are in need of repair and should be part of the road upgrade

Roads have been talked about for the last 5-7 years

Tonight was a step forward in communication and the members and board are communicating better

The bylaws were voted on as a group could the 100 members vote to on changing the sub 1 restrictions

The recent email and newsletter was great.

OMHOA Emails from 8/2/2015 to 11/3/2015

Hi,

Since the beginning of the association, there has been a sub 1 and sub 2 that share the common areas and bylaws but each has its own unique set of restrictions. Sub 1 is made up of lots 1-36 and Sub 2 is made up of lots 37-100. Sub 1 voted on its own set of restrictions, just as Sub 2 will have the opportunity to vote on their own restrictions. Both sets of restrictions are posted on the OakwoodMeadows.org web site for viewing and downloading.

Regards,
Larry Wildt
OMHOA Secretary

On Mon, Aug 17, 2015 at 10:57 PM,

Why is everything being done in a vacuum? Why isn't the entire sub being made aware of changes before they occur? Any changes have an affect on the entire sub. Especially when those who live in sub #2 have to travel through sub #1. Sub #1 affects sub #2's home values. Why are we not getting hard copies of the changes?

OMHOA Emails from 8/2/2015 to 11/3/2015

Hi,

Since the beginning of the association, there has been a sub 1 and sub 2 that share the common areas and bylaws but each has its own unique set of restrictions. Sub 1 is made up of lots 1-36 and Sub 2 is made up of lots 37-100. Sub 1 voted on its own set of restrictions, just as Sub 2 will have the opportunity to vote on theirs. As part of updating the sub 2 restriction process, sub 2 will need to decide what restrictions they want and in doing so if that would lead to a merger with sub 1.

Regards,
Larry Wildt
OMHOA Secretary

On Mon, Aug 17, 2015 at 9:36 PM,

What is the talk of sub one. So you didn't change bylaws and restrictions to reflect one sub as a whole. If you didn't change this what is the reason? If it wasn't change this could be in violation of new sub bylaws and the prior vote. What's the answer?

OMHOA Emails from 8/2/2015 to 11/3/2015

Transparency indicates what, when, and who. We investigated the approach of including names of parties involved and found that it is a common practice in other associations. This assists in tracking the issue with complete disclosure and would be stored in the records of the association. It also allows the neighbors to discuss the issue and make corrections before it is elevated to the Board.

With the passing of the new bylaws in the Fall of 2014, the meeting minutes have been electronically approved and are posted on the OakwoodMeadows.org web site. For example, the changes to the restrictions have been in the minutes several times since February 2015 as well as having the information posted on the web site. The most recent open board meeting was April 16th, 2015 and another open board meeting is being planned for October.

Larry Wildt
OMHOA Secretary

On Fri, Aug 21, 2015 at 12:54 AM,

Please explain, as you say, how this process is "now very transparent" - to whom? How? In what way?

Please explain how "facilitating open communication between neighbors" (the "teller" and the "tellee") leads to correcting a violation of the Subdivision Restrictions? How is the communication facilitated?

Explain what the "value" is in using names? How does it become historical? And at what point in the process? And in what form?

Please explain also why there are no open board meetings. Please explain how this board has been conducting business with complete transparency to ALL homeowners, including those in Sub 2?

On Aug 20, 2015, at 8:36 PM, Larry Wildt <larrywildtomhoa@gmail.com> wrote:

Hi,

Thank you for sharing your perspective.

Another way of viewing this change is that the process is now very transparent and facilitates open communication between neighbors. Most organizations do use names, and there is value in using names for historical purposes.

Regards,
Larry Wildt
OMHOA Secretary

On Mon, Aug 17, 2015 at 7:57 PM,

If a resident brings a violation of the subdivision restrictions to the attention of the board, why is it necessary to "tell" on the person reporting the violation? It's the Board's responsibility to uphold the restrictions no matter who "tells". Why would you pit neighbor against neighbor even with this modification to your new rules for handling violations?

OMHOA Emails from 8/2/2015 to 11/3/2015

Yes it is as fences are allowed in sub 1

On Wed, Aug 26, 2015 at 1:03 AM,

I believe that Is the address. So it's ok then for sub 1 to replace an existing fence?

On Aug 25, 2015, at 8:28 PM, Larry Wildt <larrywildtomhoa@gmail.com> wrote:

Thanks for the inquiry. I believe you are referring to 9807 Ponderosa. That house is located in Sub 1 and the restrictions for sub 1 have always allowed fences. The members have recently submitted their plans for the fence to the building committee and have received approval for that plan. Both restrictions for Sub 1 and Sub 2 can be found on the OakwoodMeadows.org web site.

Regards,
Larry Wildt
OMHOA Secretary

On Tue, Aug 25, 2015 at 3:57 PM,

Larry,

Hope you and your family are enjoying whats left of this summer.

I would appreciate if you would clarify something for me.

If an owner of Phase I had a fence around their pool. The pool is now gone. Approximately next week or sooner, the owner plans to remove the old pool fence and put up a new fence on their **entire** property line, more than what was around the pool.

Can they do this?

Please advise as soon as possible. If this violates the by-laws, perhaps the board can stop this before the owner spends a lot of money and eventually having to remove the fence.

Appreciate your response. Thanks

OMHOA Emails from 8/2/2015 to 11/3/2015

Hi

A survey will be sent out to all active members of Sub 2, don't have a timeframe at this time. On the home page of OakwoodMeadows.org there is a link to the latest progress in updating the restrictions and on that page the Sub 1 survey and results are available. 25 members of Sub 1 voted on their restrictions.

Regards,
Larry Wildt
OMHOA Secretary

On Wed, Aug 26, 2015 at 8:32 AM, <no-reply@websitetonight.com> wrote:

Name:

Email:

Subject:

Sub 2 Restrictions

Message:

What is the process you are taking regarding Sub 2 Restrictions? Are you sending out a survey as you did for Sub 1? Please send me the survey that you sent out to homeowners in Sub 1 along with the results of that survey. How many homeowners voted on the Restriction changes in Sub 1?

When I get asked a restriction related question, I usually suggest that the person review the actual restrictions for the written detail rather than relying on opinions. In this case, I would refer you to item 22. The restrictions for Sub 2 can be found at OakwoodMeadows.org under the Bylaws and

Restrictions.
Regards,
Larry Wildt
OMHOA Secretary

On Fri, Aug 28, 2015 at 1:51 PM, :
Hi Larry,

How long can we keep a large tractor in our driveway. We're expecting delivery next week. We would like to for a month or longer.

Please let me know. Thanks

Acknowledging receipt of your email.

As per the violation reporting steps outlined on the OakwoodMeadows.org web site, contact has been initiated with the homeowner.

Regards,

Larry Wildt

OMHOA Secretary

On Mon, Aug 31, 2015 at 2:08 PM,

Larry,

A boat on a trailer has been parked in the driveway at xxxx Daleview Dr. for three weeks. This is the Kelly residence & it has been vacated. Please contact xxxx to have this removed immediately. Sub I may be allowed to be storage facilities but Sub II is not.

Thank you for your concerns and questions

The board is acting as the committee to prepare the survey. The survey will gather input on various aspects of the current restrictions. I expect them to be mailed this week.

For the record, 16 members of the 36 members of Sub 1 participated in the survey. 25 members participated in the vote for Sub 1 and 19 members were needed for a quorum. The restrictions for Sub 1 as finalized are posted on the OakwoodMeadows.org website under Bylaws and Restrictions and then Sub 1 restrictions 2015.

Larry Willdt
OMHOA Secretary

On Fri, Sep 4, 2015 at 11:15 PM,

Larry,

I saw on the website that a survey will be sent to Sub 2 members regarding restrictions. Who is on the committee preparing the survey. How are the questions decided. When will they be distributed?

Less than half of sub 1 members took part in the Sub 1 survey. How many participated in the actual vote & what constituted a majority to make the changes on each item. In other words how many member votes were required to provide a quorum to get a majority vote on each restriction. I saw no info on that. Did I miss it?

Also, what was the conclusion regarding yard waste & trash cans? This is not listed in the new changes. Also, what was the conclusion on chain link fences? Again, not addressed in the new changes. Does that mean old language prevails on these and other items not listed in the changes to the sub 1 restrictions?

Thank you,

Sub 1 is and always has been independent of Sub 2 with respect to restrictions since the association was created in the 1970's. Sub 2 members have no influence on the restrictions in Sub 1, and the reverse is also true. Thus the approach had to be review independently for each Sub. Based on the results of updating the restrictions one could then measure the possibility of combining. We have found based on survey that Sub 1 had no desire to give up any of their options. The majority of sub 1 was very clear in what restrictions they wanted.

We now must survey Sub 2 with the similar changes as Sub 1 has approved. This will provide direction on a potential to combine. We have found that this approach has allowed the association to move forward at almost no cost. This approach has also provided movement where there was no success from the past approaches attempted in the past. A general meeting is being called for early November, where the Sub 2 survey results will be one of the topics. The survey will soon be mailed to the Sub 2 members where each individual member of the 64 members (of which you are 1 member) may reply with their opinion.

Larry Wildt
OMHOA Secretary

On Mon, Sep 21, 2015 at 10:27 PM,

Larry,
How can you create an unbiased survey without input from several sub 2 residents? Your sub 1 changes were very contrary to what the majority in this sub wanted (other than possibly driveway materials).

How can you justify sneaking in those changes in sub 1 without sub 2 input?

We recently passed one set of by-laws for both subs. Why are you encouraging segregation between the two subs rather than trying to make it one sub under the bylaws.

I would strongly suggest that you call a special general meeting just for the purpose of discussing this survey you 8 are putting together & BEFORE it's distributed.

Sent from my iPhone

On Sep 20, 2015, at 7:57 PM, Larry Wildt <larrywildtomhoa@gmail.com> wrote:

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Larry Wildt

OMHOA Secretary

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Thank you,

4 members of the board live in sub 2 and 4 members live in sub 1.

I just read the e-mail from XXXX, and I would like to know how many of the board members live in sub 2. Shouldn't we have people who live in that sub be involved in writing the survey? Are you trying to match the restrictions in sub 1 and 2?

thank you for sharing your opinion.

We would ask that you keep your emails professional.

We have had several open meetings that you apparently were not able to attend. It has also come to our attention that you have not paid your dues in 2015. This does indicate that you do not care to participate in the advancement of the sub. This also means you are not permitted to address the Board on membership in meetings - Article 3, 3.01. You have recently received a reminder letter. It does not look positive when expressing your opinions that you do not take the time to support the process.

Fences in Sub 1 are and always have been very clearly allowed. Also, Sub 1 has always followed the township restrictions on the number of dogs allowed and the township ordinance is far more comprehensive than the Sub 2 restriction is.

We agree on one issue that Sub 1 has put in place the restrictions they feel are acceptable; Sub 2 will also have that opportunity as well.

As 1 of the 64 members of Sub 2, as part of the survey process you will have the opportunity to reply with your opinion on the restrictions along with the other 63 members of sub 2.

I would suggest you reference the web site at OakwoodMeadows.org. We did have to rebuild it after we were elected as all of the existing content was deleted. We have been using it to communicate the meetings minutes and the spending of the association, etc. While we will provide the voting results for you to view, we will not allow you to dictate how and when the Board responds. The requested info will be posted by Sunday night on the OakwoodMeadows.org web site. It should be noted that you and your methods are a primary reason why the new organization and approaches have come into being. The current Board members were re-voted in by a landslide in 2014 and 2015. The results are posted if you need to review them. This indicates that the old methods were no longer acceptable and that a new approach was desired by the majority of the members.

An open board meeting is being scheduled for November and we hope to see you there.

Larry Wildt
OMHOA Secretary

On Mon, Sep 21, 2015 at 11:01 AM,
Larry

I am beyond frustrated with the way that the board has been conducting business – behind closed doors. In all of the years that our board has been in place, NO BOARD has ever NOT included the members. We have always had an open door policy. What are you hiding? Why won't you allow ALL members to attend EVERY meeting? People who hide behind doors always have something to hide.

I noticed that the board did not UPDATE so many of the restrictions. What a waste of our money and time. There were so many that needed to be addressed and revised. Fences for one. You never changed one word. This is still a gray area when it comes to upholding the restriction. I want an explanation of the boards reasoning for not addressing every outdated restriction.

I am requesting to see the actual ballots for the Sub 1 restriction change. I am entitled to request this. I expect that they will be delivered to my home no later than Tuesday, Sept 22. 8 PM

As for Sub 2. Who is going to be on the committee? Who has given you any input on what the residence want? I for one do not want fences,sheds, 3 dogs and dog runs, RV's or trailers parked for months in driveways, cement driveways, just asphalt roofing, or any of the other things that the residence of Sub 1 feel

is acceptable. These items have already caused a decline in the property values of our sub. Just look at how bad it looks when you drive in!

Look at our roads. This alone has harmed our property values. It's bad enough that your group of friends voted against the roads but now that same group is complaining about the conditions. Really???

And now you think you can get them to vote for road repairs? How by allowing them to park RV's and trailers, three dogs, going with township rules so you don't have to address these issues? Just wait until someone challenges you on a violation. You will not have the legal backing. Will you just ignore things more? That's the easy way. What other carrot are you dangling in front of them to vote your way?

I don't see the board upholding any violations. We have so many in the sub and you continue to turn your back to them. It's not an easy job to be the "policing" agent of a sub. However, it IS the boards responsibility to do so for the betterment of all 100 homeowners. Unkept yards, trash cans out, trailers (sub 2), abandoned cars (sub 2) and more.

This board reminds me of our government. Totally trying to destroy our lives. The lies that were told about others, the fake statements that were made about caring and now the hiding behind closed doors.

OMHOA Emails from 8/2/2015 to 11/3/2015

Thank you for reaching out for clarification. The Survey is a Survey (not a vote) and is meant as a means of gathering the views of the 64 members of sub 2. Once the survey results are in that would guide conversations about what sub 2 might want to change in the restrictions.

A meeting is being planned; we are waiting for confirmation from the SL schools that a meeting location is available.

I also added your email into the association distribution list so that you receive emails from the association.

Regards,
Larry
OMHOA Secretary

On Tue, Sep 29, 2015 at 9:00 PM, <no-reply@websitetonight.com> wrote:

Name:

Email:

Subject:

Sub 2 Survey

Message:

Received the Survey. Is this just a solicitation of opinions or are the results of the survey going to be used as "votes" to change the Restrictions? Will there be an opportunity for the members to meet and discuss these proposed changes? Please clarify. Thank You!

OMHOA Emails from 8/2/2015 to 11/3/2015

thank you for pointing out that I had missed posting the survey on the OakwoodMeadows.org web site. Our goal is for all documents to be posted on the web site and I am so happy to hear that people are looking there for information.

The survey for sub 2 has been posted

regards,
larry
OMHOA Secretary

On Tue, Sep 29, 2015 at 9:25 AM,
Larry

I noticed that the survey is not on the website for Sub 2. People who are not home will not be able view it. Please post it immediately.

Regards

OMHOA Emails from 8/2/2015 to 11/3/2015

Thanks for bringing this to our attention. We are working on getting it fixed.

Larry
OMHOA Secretary

On Tue, Sep 29, 2015 at 12:45 PM, Mary Passink <mpassink@gmail.com> wrote:
Hi Larry -

We have just moved back from our cottage and discovered that the large security light at the corner of 10 mile and Daleview is off most of the time. It occasionally flashes on and is only half lit. It actually was doing the same in the Spring before we left. It is off most of the time. It acts as if there is a short in it.

I just thought I would bring it to your attention as it's pretty dark in that area. Thanks Larry!

OMHOA Emails from 8/2/2015 to 11/3/2015

Acknowledging receipt of your email.

As per the violation reporting steps outlined on the OakwoodMeadows.org web site, contact has been initiated with the homeowner.

Regards,
Larry Wildt
OMHOA Secretary

On Mon, Oct 5, 2015 at 9:35 AM,
Larry,

The xxxx, at xxxx Ponderosa have their camper parked in their driveway after the September 30th deadline. A prime example of how no matter how much time you allow for parking of such a vehicle someone will always abuse the rule! I trust this will be taken care of by the board immediately.

First of all Larry, it is Mrs. xxxx, not Ms. Since you are the secretary you should already know this. Please address me as such in future communications.

I am fully aware that I have not yet paid my Association dues for 2015. It has been purposeful. This does not mean that I cannot ask questions to the board members for information. There is NO NEED for you to remind me of my responsibilities as a homeowner. I am well aware of them!

It does not seem equitable that the board made the decision NOT to give homeowners in Sub 2 the same opportunities to choose the same options for change that were offered to Sub 1 members. I hope you have a good explanation of that at the meeting that will be held in November. You can be assured that I will be in attendance.

Thank you for your inquiry on the restriction update for Sub 2. Even though you have not yet paid your association annual assessment we will extend a response to your questions.

The Board and "restriction revision" committee initiated the restriction update process for Sub 1, using the survey data previously collected and applying the results from the Sub 1 survey questions. We compiled the results of these opinions and presented the options to all of Sub 1 in a format that showed what is current in the restrictions and what would change based on the majority preferences. We collected these responses and drafted the new proposed restrictions for Sub 1. We reviewed our steps with the lawyer, who then defined the next step needed in order to register the revised restrictions. We needed to collect signatures indicating the member approval. We needed to collect over 50% of the 36 home owner signatures for approval of the revised restrictions. We were in contact with the lawyers throughout the process to ensure we were following the proper legal steps.

In the spirit of the possibility of joining the two Subs, 1 & 2, we defined the first step for Sub 2 was a survey with the same items successfully approved by Sub 1. The survey for Sub 2 has been sent with a return due date of Oct. 12. We will then review the results received and develop options for voting on the revised restrictions. If the majority align with the changes sub 2 will proceed with a vote. If sub 2 has the same results as in Sub 1 then both subs are better aligned over many of the key issues providing an opportunity for joining the two subs. If there is little alignment then we will propose to continue with two separate sets of restrictions.

The Sub 2 results and the revised restrictions will be key topics for our open meeting discussion in early November. We hope you are able to attend. Note that unless your annual assessment is paid you will not be able to address the Board or the membership as stated in our Bylaws. We value all member input on an equal basis and hope that you can rectify this lapse of responsibility to the association of which you are currently a member not in good standing.

regards,
Larry
OMHOA Secretary

OMHOA Emails from 8/2/2015 to 11/3/2015

On Sun, Oct 4, 2015 at 10:19 PM,
Larry,

I have yet to receive a response to my email from last Wednesday, Sept 30th so I thought I should resend.

Begin forwarded message:

From:

Date: September 30, 2015 at 10:36:19 AM EDT

To: Larry Wildt <larrywildtomhoa@gmail.com>

Subject: Survey & voting

Larry,

I have some questions regarding the mailed "Survey" and how this process is being handled.

First of all how can the mailed out survey be considered a survey when there are no options to choose from regarding changes to our Restrictions in Sub 2? It's either the "old" restriction or one ridiculous alternative. Didn't Sub 1 have multiple options per item up for change? Why would this board propose to go from "no parking of recreation vehicles" to six months of storage allowed? This constitutes creating storage lots for every homesite. Does this board really think that this scenario will be a positive for the value of our subdivision? If you want to make it convenient for people to be able to load & unload, or do work on one of their recreation items why wouldn't you propose to create a reasonable window for that to happen? What would this neighborhood look like if EVERYONE parked an item on their lot at the same time? From what is stated in the proposed changes to our Restrictions I think this board is doing a GREAT disservice to each & every homeowner in our community by not looking at the big picture of what this would result in for our home values & the overall appearance our Subdivision.

Why has there been no meeting set up for homeowners to address proposed changes & be able to ask questions & get answers that all can hear? What is this board afraid of with regards to in person contact with homeowners?

What is the process for collecting votes regarding these changes? Is this survey an actual vote? If so, there is no signature line, lot designation or privacy means to which this board is so concerned about. The survey from Sub 1 posted on the website makes no sense at all. Some people marked more than one choice for the same item. Why does Sub 2 not have options? That is what Jim Smalley claimed would be the case all along.

I spoke with a homeowner from Sub 1 that informed me that a survey was filled out & then an instruction to go to a board members home to sign a paper was required. What kind of process is that?

Please be very specific with your answers. They will be reviewed closely for follow up.

Sent from my iPad

Hi,

In response to the 50 ballots you referred to in your inquiry, please look closely at the scanned pages. The 25 ballots were two sided. Thus when they were scanned it generated two pages each for a total of 50 total pages.

The ballot process followed the anonymous voting process. Thus we recorded who voted but not how they voted – ie a two envelope method. A special meeting was held for Sub 1 voting members where the ballots were opened and counted.

Thank you for your inquiry on the process of revising the sub 1 restrictions. Please keep in mind that the revision of restrictions is a continuation of pervious Board's efforts over the past years. We hope you are able to join us for the open meeting in early Nov, The main topic will be to review Sub 2 survey results and the next steps.

A survey is a method of investigating by questioning a group of people to obtain their opinion. Each member is entitled to their opinion and the value of each member is weighted the same. It is not a vote.

The intent is to collect what is preferred by the majority of sub 2 members and this result to develop a draft of Sub 2 revised restrictions. We communicated with the lawyer to define the correct process and next steps. The approval will be on the revised restrictions (based on the survey) by collecting 2/3rds signatures of the 64 members for approval in the proper formatted document.

Survey packets were sent by mail to all 64 members of sub 2. We did not have any mail returned to the PO BOX (indicating that the all surveys were received by each member). If you know of any members that are missing the survey, please have them contact us.

With respect to treasury's report – it did include the summary of the amount, to find the details please click on the link on the main page of the web site OakwoodMeadows.org.

regards,
Larry
OMHOA Secretary

On Tue, Sep 29, 2015 at 4:58 PM,

Larry,

I have several issues I would like you to address please.

Regarding the Vote for Sub 1 Restriction changes:

Since there are only 36 homeowners in Sub 1, can you please explain to me how there are copies of FIFTY ballots on the website for the Sub 1 Restrictions vote? Are we, the homeowners to believe that 50 scanned ballots constitutes a valid vote? Further, you told me in a recent email exchange that 15 homeowners submitted surveys, 25 voted, and 19 passed the new restrictions. How did you arrive with that with 50 ballots?

The breakdown of the ballot count needs to be more clear.

And how was the balloting handled? Did you have an open meeting to count the ballots in front of the attendees as was always the practice of voting in our Association?

What method did the Board use for recording receipt of the ballots in a manner to SHOW they were received while keeping the voter's vote secret? Can anyone see how the ballots were handled?

Regarding the Survey: The chart showing the survey results indicates that quite a few who submitted the survey marked more than one choice for the Camper/RV/Trailer storage question. That distorts the true end result. This is true for some of the other questions as well.

Also, I would like to go on record with the minutes, whenever that occurs, that I am totally against this Board putting forth a survey suggesting radical changes to Sub 2 Restrictions without holding a meeting with Sub 2 homeowners to discuss the necessity of changing them at all. Before you mailed the surveys, I strongly suggested that you hold a general meeting with Sub 2 Homeowners before mailing them. You ignored me.

Your survey is very biased, radical and gives no choices but to agree or disagree with language that the 8 of you produced for Sub 1. That does not constitute a Survey of choices or alternatives, but rather an autocratic Vote.

ARE YOU USING THE RESULTS OF THE SURVEY TO BE A FINAL VOTE?

I also learned that a new homeowners did not receive the Survey packet. How do we know that ALL homeowners in Sub 2 received one?

Larry, you also told me in an email exchange a couple of weeks ago that there would be an Open Board meeting in October. When will the Homeowners be notified of the date, place and time?

And, lastly, in the minutes on the website for August you list the money spent, but failed to list what the money was spent on. In the name of transparency, what is the money being spent on?

I plan to share this email and your answers to all my questions with several residents in Sub 2, old and new, so I hope you answer faithfully and in a timely manner.

Thank you,

Larry Wildt <larrywildtomhoa@gmail.com>

Oct 14 (2 days ago)

to

xxxx, perhaps a reflection is in order. Your payment is over five months late. A few additional days in the post office waiting for our volunteer member to collect the payment is not the issue. Your delay in payment shows a lack of respect for your fellow association members and for the process that is in effect through membership election. You failed to run in the last election and failed to provide any positive, constructive, or useful insights to advance the direction of the association. The methods and approaches you continue to employ are the very items that generated the need and caused you and your associates to be removed for any leadership role. The association is changing to meet new demands. we would suggest you need to change as well.

regards,

Larry Wildt
OMHOA Secretary

On Mon, Oct 12, 2015 at 11:38 AM,
Larry

I feel you owe me an apology and the rest of the subdivision for your unfounded and insulting remarks. My annual homeowners assessment has been sitting in the subdivisions mail box since Oct 3. The proof of this is copied below. The lack of the board doing it's duties has brought this situation to a new level. It is obvious that the board is not performing per the description of their duties in the By-Laws. I feel that there needs to be an audit of the bank account and the private meeting notes immediately to see what else you have neglected and how many other people have been insulted, harassed and falsely accused of wrong doings.

I am expecting a response and proof that you have in fact received my payment.

in-transit

- On Time
- Expected Delivery Day: Saturday, October 3, 2015

Product & Tracking Information

Postal Product:

- First-Class Mail®

Features:

- Certified Mail™

Date & Time	Status of Item	Location
October 3, 2015 , 10:05 am	Available for Pickup	SOUTH LYON, MI 48178

Date & Time	Status of Item	Location
Your item arrived at the SOUTH LYON, MI 48178 post office at 10:05 am on October 3, 2015 and is ready for pickup.		
October 3, 2015 , 9:23 am	Arrived at Unit	SOUTH LYON, MI 48178
October 2, 2015 , 4:40 pm	Departed USPS Destination Facility	DETROIT, MI 48233
October 2, 2015 , 1:16 pm	Arrived at USPS Destination Facility	DETROIT, MI 48233
October 1, 2015 , 5:03 am	Departed USPS Facility	DENVER, CO 80266
September 30, 2015 , 8:37 pm	Arrived at USPS Origin Facility	DENVER, CO 80266
September 30, 2015 , 5:10 pm	Departed Post Office	ERIE, CO 80516
September 30, 2015 , 9:06 am	Acceptance	ERIE, CO 80516

From: Larry Wildt <larrywildtomhoa@gmail.com>

Date: Sunday, October 11, 2015 at 4:34 PM

To:

Subject: Re: Survey for Sub 2

Thank you for your inquiry. Even though you have not yet paid your association annual assessment we will extend a response to your questions.

In response to the 50 ballots you referred to in your inquiry, please look closely at the scanned pages. The 25 ballots were two sided. Thus when they were scanned it generated two pages each for a total of 50 total pages.

In the spirit of possibility of the future joining of the two Subs, 1 & 2, we defined the first step for Sub 2 was a survey with the same items successfully approved by Sub 1. The survey for Sub 2 has been sent with a return due date of Oct. 12. We will then review the results received and develop options for voting for Sub 2. We are using this process to ensure the best chances of passing the desired change seeping cost and time required to a minimum for the membership. If the majority align with the changes we will proceed with a vote. If we get the same results as in Sub 1 then both subs are better aligned over many of the key issues providing an opportunity for joining the two subs. If there is little alignment then we will propose to continue with two separate sets of restrictions.

The Sub 2 results and the generated proposals will be key topics for our open meeting discussion in early November. Your questions and your suggestions for additional restrictions contained in the email have been noted. Note that unless your annual assessment is paid you will not be able to address the Board or the membership as stated in our Bylaws. We value all member input on an equal basis and hope that you can rectify this lapse of responsibility to the association of which you are currently a member not in good standing.

regards,

Larry Wildt
OMHOA Secretary

On Sun, Oct 4, 2015 at 7:32 PM,

Larry

Thank you for posting the survey on the website. I had hoped that this would have been done immediately as there are many who travel frequently and needed to access this document.

When will the board hold a meeting to discuss this survey with the residents of Sub 2? I feel that the only way we can ever change the restrictions is to have more input from the residents. Why were we not given options. It's really not a true survey of the residents when the board has written like this. Yes or No isn't a survey of opinions. It definitely is not productive.

I am very disappointed that the board did not try to merge the two subs and now not change all of the outdated restrictions for sub 1 and now sub 2. The merge was something that was recommended by the attorneys right from the beginning of this process. I'm sure that Mr. Weinberger's original intention was to have one set of By-Laws and restrictions to have continuity throughout the 100 lots.

There are several important restrictions that the board neglected to consider. - Shingles materials. Siding materials. As our homes age, so do the exteriors. There are so many materials available now that would blend in with the sub and enhance the appearance of the homes. One resident has a rubber shingle roof. The present restriction does not allow for anything other than asphalt. Why not change it while we have the opportunity.

Driveways – The board did not include all options of the current day. One thing that the driveway doesn't say – can someone let their driveway go back to gravel? The restriction states that they can use certain materials but without stating the obvious, I can see where someone will allow theirs to go back to gravel. What about other materials? What would be accepted? There is ground rubber.

Did the board investigate the materials for siding, roofing materials and driveways before just pushing the vote through for sub 1? The previous committee had spend numerous hours investigating and documenting the options. Why would this board not refer to the documents that were approved by the subdivision attorney? Several of the present board members were on the original committee and proposed many items.

Sheds – the wording allows for sheds. An accessory building IS A SHED.

As found on the internet - **Definition: Accessory buildings** are detached structures such as garages, sheds, [playhouses](#), storage buildings and other similar residential structures. Legally, most accessory buildings are not permitted to be used as sleeping quarters or as living space. They also can't be used to store commercial vehicles.

Another description of Accessory structures/buildings.

Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example a residential structure may have a detached garage or storage shed for garden tools as accessory structures.

Other facts about accessory buildings:

- They must be limited to two plumbing fixtures

Yard lights have been very beneficial to have in providing light to the streets. This item could have been changed to allow electric or solar lighting. NOT just remove it. It is also a safety issue for those walking at night, emergency vehicles finding our homes and more.

Three dogs are definitely too many for any one home. If the resident is allowed three, they'll go for more. That has been proven already in our sub by several residents. I am a dog lover but with reason. I am tired of hearing them bark from 5 am to midnight. The owners are not always responsible for their actions. The township has in the past been presented with residents not cooperating when a complaint was filed. They can not be expected to police this sub constantly. There's ONE inspector. Mr. Koontz does a great job but he is only one person. Animal Control does not police how many dogs at the residence nor barking dogs.

The survey is proposing that we change to follow the township trash rule. This permits a resident to store trash/refuse/garbage on their property for 30 days. Does this mean if they have it on a trailer it's permitted? Can they have it in a pile and then call it neat? What happens at the end of 30 days? Will the board have any authority to have it removed at the owner's expense? Who will take on this responsibility?

Campers, Motor Home, trailers, boats - How are you going to handle this when a resident does not move their Camper, motor home, trailer, boat, commercial vehicle. How can you allow a commercial vehicle to remain on the property and not the others? I own a 22' commercial trailer. With this restrictions being written this way, I am permitted to store my trailer on my property 365 days a year. Conflicting wording? What about other recreational items – example ski doos, ski jets, snow mobiles, 4 wheelers, etc if not on a trailer? How are these items going to be handled? They are not included in the wording for Sub 1 therefore they are not permitted to be parked in site on the property. They must be stored off site or in the garage. The board can not just make up the rules as they go. What is "an appropriate limitation"???? Who is going vote on what is a reasonable temporary waiver for storage of same? This restriction must be stated very clearly.

Fences – why did the board feel that allowing chain link fencing is a benefit to our subdivision. We have nasty looking fences in sub 1 now. I had hoped that the restriction would have been more specific in what materials would be allowed in Sub 1. Seeing a chicken wire fence from the pond side is very sad. Chain link fences rust.

Why go with township rules? They are understaffed and will not follow through with complaints. We will not have resolution to the violations in a reasonable length of time and this will pit one neighbor against the other.

We are or should be concerned with our home values. Values have diminished in our sub while others have gone up substantially. We need to all work together to keep our sub as it has always been – a premier place to live and raise a family. The road conditions have taken their toll on our home values without adding more ways of residents not respecting the properties.

It was mentioned in one of the meeting notes that the board has formed a committee to find a way to re-pave our streets. Where are they in that process?

We have fought the “grey” restrictions for too many year. The new restrictions must be very specific in nature. Simple and concise language.

When will the board hold an open board meeting? The board has held only one so far this year. The board is required by our by-laws to hold three. Past boards have allowed ALL meetings to be open to ALL residents.

How did the Board handle the opening and documenting of the **50** surveys you received and posted on the website from the **34** homes in sub 1? Who was present and how did the board maintain the privacy? How did the board count the survey and votes? Were all residents eligible to submit a survey and vote. Who monitored this action as the notices for the dues had just recently been mailed.

How does the board intend to do this for sub 2? Having a resident bring their survey to a board members home then ask that they vote on the spot is not a legal way of voting on something so important and lasting. What happened to using the Robert’s Rules and the new by-laws? What happened to being transparent with the residents? I understand that a person is allow to submit a VOTE in person however being intimidated to vote in the presence of one board member does not constitute anonymity.

As copied from the current By-Laws.

3.03 Voting

All votes of the membership shall be anonymous. Votes may be cast in person, in writing duly signed by the designated voting representative, or by any other means allowed by the voting procedures adopted by the Association for a given vote, provided they meet 3.02.

Any proxies, written votes or other votes cast by means allowed hereunder must be filed with the Secretary of the Association at or **before the appointed time of each meeting of the Owners of the Association or voting deadline if no meeting held**. Votes may be cast by mail, fax, delivery, electronically, or any other method approved by the Association in advance of the vote. Cumulative voting shall not be permitted

No where does it say that the Secretary shall have the ballots at their home and presents it to the resident to vote on the spot!!!!

Again, I am requesting that you arrange to hold an open meeting to discuss your motives and then another one with the survey being reworked to do the actual collection and count of the surveys. I do not feel that the board has considered all of the aspects of the proposed changes and how they will impact the subdivision in the future. If the board rejects this request and requests from other residents for a special meeting, expect a request filed by 15 residents per the new By-Laws with the board prior to October 12.

According to the By-laws,
4.02

Special Meetings.

Special meetings of the members may be called at any time by the President or a majority of the members of the Board of Directors or upon the written Request to the President with a minimum of **15 per cent (15%) of the votes of the entire Membership entitled to vote.**

4.03

Notice of Meetings. Except as otherwise provided in the Articles of Incorporation, the Declaration or these Bylaws, or person authorized to call the meeting, not less than ten (10) days

Or more than forty-five (45) days before the date of the meeting. Such notice shall specify the place, day and hour of the Meeting and, in case of special meeting, the exact purpose of the meeting, including the text of any proposals.

Article 4.03 allows the board time to organize the restriction meeting.

Consider this my official request for a special meeting to be held on this issue. I will encourage others to send their request to the Secretary of the Association immediately.

Regards,

P.S. Please fix the website so that the entire pages are readable. The pages are enlarged to the point that not all of the content can be read. Information about the restriction changes should be also posted under the By-Law and Restriction tab.

This is an email from a person interested in purchasing a house in sub 2

Hi ,

The Oakwood Meadows association is divided into 2 areas that have separate restrictions.

Sub 1 is made up of lots 1-36

Refer to the link for "sub 1 restrictions 2015" for and refer to land use and building type
<http://www.oakwoodmeadows.org/bylaws-and-restrictions.html>

Sub 2 does not allow sheds.

I also attached a map of the subdivision

Regards,
Larry

On Wed, Oct 14, 2015 at 9:21 AM, <no-reply@websitetonight.com> wrote:

Name:

Email:

Subject:

Shed

Message:

Hi, question, in looking at your subdivision, and your bylaws, as a potential future resident of your neighborhood, can you confirm if sheds are allowed/not allowed on the property? Thank you.

OMHOA Emails from 8/2/2015 to 11/3/2015

Hi,

An open meeting was communicated through our news letter that was recently mailed/emailed. The bill board sign is posted and reflects the information as well. November 4, 7:00 PM at Centennial.

The survey results for Sub 2 will be communicated and discussed as one of the main topics during the open meeting and posted on OakwoodMeadows.org afterwards.

Regards,
Larry Willdt
OMHOA Secretary

On Sun, Oct 25, 2015 at 2:27 PM,

Larry,
Can you tell me when the meeting for Sub 2 regarding Restriction updates is scheduled for and also what the results of the survey show?

Sent from my iPad

Hi

The process for handling potential violations is located on the OakwoodMeadows.org website on the "Bylaws and Restrictions" tab. In this particular case, and as I have shared with others, it is best to go to the governing documents and clearly identify the restriction; which is part of the process that is in place.

Please identify which restriction is in violation.

regards,
Larry Wildt

OMHOA Secretary

On Tue, Nov 3, 2015 at 8:57 AM,

Larry,
I am reporting a Restriction violation of item #22 at 9823 Atwood for storage of a canoe on the side yard of the home. This infraction was noticed on October 26th but more than likely has been there for much longer than that. Please take the necessary action to have this corrected.

OMHOA Emails from 8/2/2015 to 11/3/2015

Thank you for sharing your opinion, each member is entitled to their opinion and the value of each member is weighted the same., Your comments have been passed along to the board.

Regards,

Larry Wildt

OMHOA Secretary

On Tue, Nov 3, 2015 at 3:23 PM,

Hello Larry,

We saw the meeting notice at the front entrance of our subdivision. Thanks for the invite, but we will be out of town.

Therefore, we as husband and wife and longtime Oak wood Meadows residents would like to voice our opinions and concerns.

We find it odd that the Board chose to mirror Sub 1 restrictions for Sub 2.

What is expected of this Board is to maintain the subdivision's original beauty and natural appearance rather than allow a hodgepodge of: Campers, driveways, fences, motor homes, personal work vans, sheds (doll houses as the board refers to them), toy boxes, trailers, and even tractors!

Since this board took over (especially this year), we noticed that our neighborhood is beginning to take on the appearance more conducive to that of a trailer park rather than the developer's original vision. Which is what most homeowners expected to continue when they purchased their homes years ago.

I am not aware of any subdivisions that would claim an increase in property values by allowing long-term parking of RV's, Fences, Sheds, Trailers, etc. If anything, it would be a deterrent for potential buyers.

We hope that this Board will take a moment and rethink their strategy before moving forward.

Larry, as we plan to do, please feel free to share our thoughts with others if you wish.

Sincerely,

The board has reviewed your concern regarding the storage of a canoe being in violation of restriction #22 (listed below) for sub 2.

22. TRAILERS, TRUCKS, COMMERCIAL VEHICLES. No trailers, mobile homes, campers, trucks, buses, tractors, commercial vehicles of any kind and any kind of machine equipment or apparatus, except in use for construction or repairs within the Subdivision, shall be parked or left to stand on any street, driveway, lot or any other area within the Subdivision. Abandoned vehicles and passenger automobiles not in regular use as passenger vehicles shall not be parked or left on any street, lot or other area in the Subdivision.

This restriction is focused on vehicles and trailers and storage of a canoe is not covered by this restriction.

The records of the association also have a "courtesy email" that was sent to the same member on April 29, 2013 noting a violation for storing of a canoe based on restriction #22. This email was sent to the member from Gail Meloche (Secretary) and cc'd Kathy Bratcher (President). The final correspondence between the member and the board, was the board agreeing that the storage of a canoe was not a violation and stated that "Our concern should be only for any boats that have motors. And therefore may not be stored on lots."

The 2015 board is in alignment with that previous ruling on the restriction and that the storage of the canoe is not in violation of restriction #22.

Regards,
Larry Wildt
Secretary

On Tue, Nov 3, 2015 at 8:55 PM,

I did Larry. It is #22 on page 11.

On Nov 3, 2015, at 7:33 PM, Larry Wildt <larrywildtomhoa@gmail.com> wrote:

The process for handling potential violations is located on the OakwoodMeadows.org website on the "Bylaws and Restrictions" tab. In this particular case, and as I have shared with others, it is best to go to the governing documents and clearly identify the restriction; which is part of the process that is in place.

Please identify which restriction is in violation.

regards,
Larry Wildt

OMHOA Secretary

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